

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 09-16

AN ORDINANCE TO AMEND THE TEXTS OF THE GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, AND ORDINANCE NO. 82-1, ENTITLED, "AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF GREENWOOD, INDIANA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF I.C. 36-7-4-600 et seq. LAWS OF INDIANA AS AMENDED, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith"; TO REPEAL ORDINANCE NO. 83-3, ENTITLED, "AN ORDINANCE AMENDING ORDINANCE NO. 82-1 ENTITLED, 'AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF GREENWOOD, INDIANA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 174, ACTS OF 1947, LAWS OF INDIANA, AS AMENDED, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith," AS AMENDED; TO REPEAL GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 10, ARTICLE 14, "SIGN CODE", SECTION 10-173 THROUGH SECTION 10-191; TO ADOPT A REPLACEMENT SIGN CODE; AND TO ADD ARTICLE 23, "SIGN CODE", SECTION 10-600 TO SECTION 10-616, TO THE GREENWOOD MUNICIPAL CODE (1993), AS AMENDED

WHEREAS, it has been recommended that the Greenwood Sign Code Ordinance ("Sign Code") be updated to address changes in technology and use of signage; and

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter "Commission") conducted a public hearing on the petition for these text amendments to the Sign Code; and

WHEREAS, it has been determined that it is more efficient to repeal the Sign Code in its entirety and replace it with a new Sign Code located in a new Article of the Greenwood Municipal Code than it is to amend the existing Sign Code piecemeal; and

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation** regarding said text amendment and certified the same to the Greenwood Common Council; and

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter; and

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission and paid reasonable regard to items 1 through 5 referred to above.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The Greenwood Common Council hereby amends Greenwood Common Council Ordinance No. 82-1, entitled "An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing for the Administration, Enforcement, and Amendment Thereof, in Accordance with the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana as amended, for the Repeal of all Ordinances in Conflict Herewith", by repealing the text of Article 19 – Sign Code in its entirety and replacing it with the text of Article 23, "Sign Code", as set forth in attached Exhibit "A", incorporated herein by reference.

Section 2. The Greenwood Common Council hereby repeals Greenwood Common Council Ordinance No. 83-3 entitled, "An Ordinance Amending Ordinance No. 82-1 Entitled, 'An Ordinance Establishing Comprehensive Zoning Regulations For The City of Greenwood, Indiana, and Providing for the Administration, Enforcement and Amendment

Thereof, in Accordance with the Provisions of Chapter 174, Acts of 1947, Laws of Indiana, as Amended, and for the Repeal of all Ordinances in Conflict Herewith", (as amended), in its entirety and replaces it with the text set forth in the attached Exhibit "A", incorporated herein by reference.

Section 3. The Greenwood Common Council hereby repeals Chapter 10, Article 14, Section 10-173 through Section 10-191, "Sign Code", of the Greenwood Municipal Code (1993), as amended, and amends the Greenwood Municipal Code (1993), as amended, by adding Article 23, Section 10-600 through 10-616, "Sign Code", as set forth in attached Exhibit "A", incorporated herein by reference.

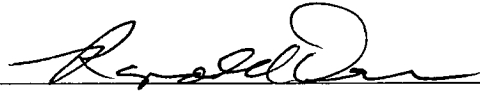
Section 4. The Greenwood Plan Commission is hereby authorized to make the above described changes to the text of the Greenwood Zoning Ordinance and to print and file two (2) copies of the amended zoning ordinance in the Office of the Greenwood Clerk-Treasurer to keep on file for public inspection.

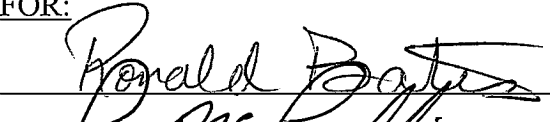



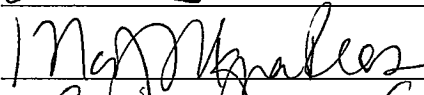

Section 5. The sections, paragraphs, sentences, clauses, phrases and words of this ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

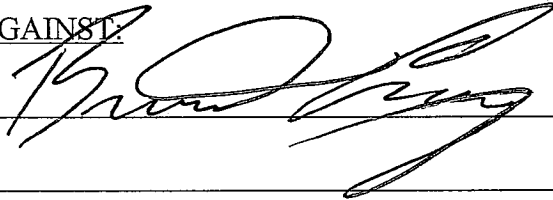
Section 6. This ordinance shall have no effect on existing litigation or causes of action, and shall not operate as an abatement of any action or proceeding now pending or which could be brought as to any changed provision of Ordinance No. 82-1, as amended; Ordinance No. 83-3 as amended; or the Greenwood Municipal Code (1993), as amended, by virtue of the ordinances or sections of ordinances or code provisions so amended or repealed and this ordinance is to amend only as provided above and does not affect any other sections of Ordinance 82-1, as amended, or Greenwood Municipal Code (1993), as amended, except to the extent necessary to give this ordinance full force and effect.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this 6th day of July, 2009.


Ronald Deer, President
Greenwood Common Council

FOR:







AGAINST:


ATTEST:

Jeannine Myers
Jeannine Myers, Clerk-Treasurer

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 6th day of July, 2009, is presented by me this 13th day of July, 2009, at 10:00 O'Clock A.M, to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers
Jeannine Myers, Clerk-Treasurer

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 6th day of July, 2009, is signed and approved by me this 13th day of July, 2009, at 10:00 O'Clock A.M.

Charles E. Henderson
CHARLES E. HENDERSON, Mayor of
the City of Greenwood, Indiana